

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

06/29/2007 LLANDGRA 00000032 10593913

01 FC:2631	150.00 OP
02 FC:2633	100.00 OP
03 FC:2642	200.00 OP

PTO-1556
(5/87)

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OFFICE OF PETITIONS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Joshua Abood)	Examiner: not yet assigned
)	
Serial No.:	10/593,913)	Art Unit: not yet assigned
)	
Filed:	September 22, 2006)	Attorney Docket No.: 30158/04003
)	
For:	A MULTI-FUNCTION POLE)	

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**REQUEST TO ACCEPT UNINTENTIONALLY
DELAYED PAYMENT OF FEES FOR ENTERING THE NATIONAL STAGE IN THE
UNITED STATES OF AMERICA \$1.495**

06/29/2007 LLANDGRA 00000032 10593913

04 FC:2453 Dear Sir: 750.00 DP

Applicant, through his attorney, hereby Request the Commissioner to accept the unintentionally delayed payment of the a) basic national fee for a small entity \$150; b) search fee for a small entity \$200; and c) examination fee for a small entity \$100, before the deadline of thirty months from the priority date, namely, September 26, 2006, until the filing of the attached petition under 37 C.F.R. §1.137(b), which was unintentionally omitted from the above-referenced patent application. Abandonment of the above-identified application for failure to pay the filing fees for a submission under 35 U.S. C. 371 Filing was unintentional. As such, Applicant submits that the entire delay in payment of the was unintentional.


In support of this petition, applicants presents herewith:

- (1) a statement of facts attesting that the delayed claim to priority was unintentional;
- (2) a check in the amount of \$1,200 which includes the basic national fee for a small entity \$150, the search fee for a small entity \$200; the examination fee for a small entity \$100 and the petition fee for a small entity \$750 as set forth in 37 C.F.R. §1.17(m); and
- (3) Form PTO SB/64/PCT - Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b).

If any additional fee is due with this petition, please charge our Deposit Account Number 03-0172, our Order No. 30158/04003.

Respectfully submitted,

Date: 6/19/07

By: 
John E. Miller, Reg. No. 26,026
(216) 622-8679
jmillerc@calfee.com

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
30158/04003

First named inventor: Joshua Abood

Application No.: 10/593,913

Art Unit: not yet assigned

Filed: September 22, 2006

Examiner: not yet assigned

Title: A MULTI-FUNCTION POLE

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300**RECEIVED**
JUN 22 2007
OFFICE OF PETITIONSNOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☒ Small entity-fee \$ 750 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))**2. Reply and/or fee**

- A. The reply and/or fee to the above-noted Office action in
-
- the form of
- Request to Accept Delayed Fee Payment and Statement of Facts
- (identify type of reply):

☐ has been filed previously on _____.

☒ is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ _____.

☐ has been paid previously on _____.

☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

John E. Miller
Signature

6/19/07
Date

John E. Miller
Typed or printed name

26,206
Registration Number, if applicable

Customer No. 24024
Address

216-622-8679
Telephone Number

Address

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: Request to Accept Delayed Payment of National Stage Fee; Statement of Facts

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6/19/07
Date

Karen Buzinski
Signature

Karen Buzinski

Typed or printed name of person signing certificate

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Mail Stop Petitions
Commissioner for Patents
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Alexandria, Virginia 22313-1450

**STATEMENT OF FACTS SUPPORTING PETITION
TO ACCEPT UNINTENTIONALLY DELAYED
PAYMENT OF FEES FOR ENTERING THE NATIONAL STAGE IN THE UNITED
STATES UNDER §1.495**

Dear Sir:

As attorney of record, I, John E. Miller, have first-hand knowledge of the facts supporting the accompanying petition to accept unintentionally delayed payment of the basic national fee, search fee and examination fee for a small entity. The fees required for filing the above-identified application in the national stage which should have accompanied the application filing papers were unintentionally omitted from the originally submitted application filing papers.

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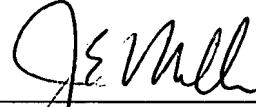
The entire delay in submitting the fees, thirty months from the priority date, namely prior to September 26, 2006, until the filing of the accompanying petition and Statement of Facts to pay these fees, was unintentional.

Respectfully submitted,

Date: _____

6/19/07

By: _____



John E. Miller, Reg. No. 26,206
(216) 622-8679
jmiller@calfee.com



Calfee, Halter & Griswold LLP
1400 KeyBank Center
800 Superior Avenue
Cleveland, Ohio 44114-2688

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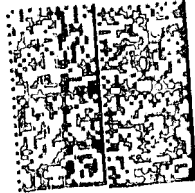
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